S.B.Cr.Misc. IInd Bail Appl. No.4487/2007

(Ram Jeewan vs. State of Rajasthan)

Date of order : September 11, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.Sumer Dan, for the petitioner.
Mr.Ashok Upadhyaya, Public Prosecutor.
Mr.Suresh Kumbhat, for the complainant.

Heard learned counsel for the petitioner and the Public Prosecutor for the State assisted by counsel for the complainant. Perused the order impugned and the challan papers.

It is contended by learned counsel for the petitioner that it was the injured, who came to the house of the petitioner. It is also contended that the injured and the petitioner were the partners and dealing with the distribution of gas cylinders and the accounts have not been rendered by the injured, that was the cause giving rise to sudden quarrel. Even from the statement of the injured himself, it appears that the petitioner and the injured were checking the accounts and suddenly an altercation took place; the petitioner picked up an axe lying nearby and inflicted injuries to the injured, though one of the injuries is grievous in nature but the manner in which the alleged occurrence took place is at the house of the petitioner on the

spur of the moment in connection with not rendering the correct accounts of business jointly run by the petitioner and the injured. It is further contended that the petitioner is in custody for three months and the trial is likely to take a long time.

Having regard to the facts and circumstances of the case and the fact that the petitioner is in custody for three months and the trial is likely to take a long time and the occurrence took place at the house of petitioner on the spur of the moment on account of not rendering the correct account of business, I consider it just and proper to enlarge the accused petitioner on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Ram Jeewan s/o Ramu Ram be released on bail in CR. No.69/2007, P.S. Gotan, (Nagaur) provided he furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs.10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),J.

m.asif/-